UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
RUST, ERIC A

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>August 11, 2010</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>71-88</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>71-88</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   In the Amendment filed August 11, 2010, Applicants amended claims 71 and 80.

Claims 71-88 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 71-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Applicant Admitted Prior Art (hereinafter, AAPA) in view of U.S. Patent No. 7,309,232

B2 to Nagarajan et al. (hereinafter, Nagarajan), and further in view of International

Application Publication No. WO 03/025713 A2 to Dexter et al. (hereinafter, Dexter).

Dexter was cited in the IDS filed by Applicants on June 02, 2006.

        In regard to claim 71, AAPA discloses a method for processing print data

(**AAPA, pg. 1, line 30 - pg. 2, line 4**), comprising the steps of:

        generating a print data stream with data of a plurality of print pages wherein a

first object property is associated with at least one region of the print pages (**AAPA, pg.

1, line 30 - pg. 2, line 4**); and

with a computer, processing the print data wherein in a first raster process

rasterizing at least the print data of the at least one region by use of said first object

property (**AAPA, pg. 1, line 30 - pg. 2, line 4**);

AAPA does not disclose displaying at least the rasterized print data of said first

raster process on a display; selecting at least one part of the at least one region of one

of the plurality pages of the print data stream; with the computer associating at least one

second object property differing from the first object property with the selected at least

one part of the at least one region; and with the computer processing the print data of

said selected part of the at least one region by rasterizing the print data in a second

raster process dependent on both of the first and the second object properties.

Nagarajan, however, discloses displaying print ready data on a display

(**Nagarajan, col. 3, line 62 - col. 4, line 6**).

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to combine the teachings of Nagarajan with the teachings of AAPA

in order to edit an image before it is printed.

Nagarajan does not disclose selecting at least one part of the at least one region

of one of the plurality pages of the print data stream; with the computer associating at

least one second object property differing from the first object property with the selected

at least one part of the at least one region; and with the computer processing the print

data of said selected part of the at least one region by rasterizing the print data in a

second raster process dependent on both of the first and the second object properties.

Dexter, however, discloses selecting at least one part of the at least one region of one of the plurality pages of the print data stream (**Dexter, [0037], lines 2-6**);

with the computer associating at least one second object property differing from the first object property with the selected at least one part of the at least one region (**Dexter, [0037], lines 6**); and

with the computer processing the print data of said selected part of the at least one region by rasterizing the print data in a second raster process dependent on both of the first and the second object properties (**Dexter, [0037], and [0038], lines 1-2, if the user selects only a portion of the page, the second raster process would be dependent on both of the first and the second object properties**).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Dexter with the teachings of AAPA and Nagarajan in order to reduce time and the skill of a desktop operator (**Dexter, [0007], lines 1-2**), thereby reducing cost.

In regard to claim 80, AAPA discloses a method for processing print data (**AAPA, pg. 1, line 30 - pg. 2, line 4**), comprising the steps of:

generating a print data stream with data of a plurality of print pages wherein a first object property is associated with at least one region of the print pages (**AAPA, pg. 1, line 30 - pg. 2, line 4**); and

with a computer, processing the print data wherein in a first raster process,

rasterizing at least the print data of the at least one region by use of said first object

property (**AAPA, pg. 1, line 30 - pg. 2, line 4**);

AAPA does not disclose displaying at least the rasterized print data of said first

raster process on a display; selecting at least one part of the at least one region of one

of the plurality of print pages of the print data stream; with the computer associating at

least one second object property differing from the first object property with the selected

at least one part of the at least one region; and with the computer processing the print

data of said selected part of the at least one region and rasterizing the print data in a

second raster process dependent on only the second object property.

Nagarajan, however, discloses displaying print ready data on a display

(**Nagarajan, col. 3, line 62 - col. 4, line 6**).

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to combine the teachings of Nagarajan with the teachings of AAPA

in order to edit an image before it is printed.

Nagarajan does not disclose selecting at least one part of the at least one region

of one of the plurality pages of the print data stream; with the computer associating at

least one second object property differing from the first object property with the selected

at least one part of the at least one region; and with the computer processing the print

data of said selected part of the at least one region by rasterizing the print data in a

second raster process dependent on both of the first and the second object properties.

Dexter, however, discloses selecting at least one part of the at least one region of one of the plurality of print pages of the print data stream (**Dexter, [0037], lines 2-6**);

with the computer associating at least one second object property differing from the first object property with the selected at least one part of the at least one region (**Dexter, [0037], lines 6**); and

with the computer processing the print data of said selected part of the at least one region and rasterizing the print data in a second raster process dependent on only the second object property (**Dexter, [0037], and [0038], lines 1-2, if the user selects the whole page, the second raster process would be dependent on the second object property**).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Dexter with the teachings of AAPA and Nagarajan in order to reduce time and the skill of a desktop operator (**Dexter, [0007], lines 1-2**), thereby reducing cost.

In regard to claims 72 and 81, which depend form claims 71 and 80, respectively, the combination of AAPA and Dexter disclose wherein a second print data stream is generated in which said second object property is associated with said selected part of the at least one region (**AAPA, pg. 1, line 30 - pg. 2, line 4, and Dexter, [0037], line 5, and [0038], lines 1-3**).

   In regard to claims 73 and 82, which depend form claims 71 and 80,

respectively, Dexter discloses wherein the at least one region comprises the entire print

page (**Dexter, [0037], line 4**).

   In regard to claims 74 and 83, which depend form claims 71 and 80,

respectively, Dexter discloses wherein at least one of the first and second object

properties pertains to at least one parameter of the type selected from the group

consisting of output, print, and processing parameter types (**Dexter, [0037], lines 7-9,**

region type pertains to at least a processing parameter).

   In regard to claims 75 and 84, which depend form claims 71 and 80,

respectively, Dexter discloses wherein at least one of the first and second object

properties serves for selection of a color conversion method, a raster conversion

method, or an error correction method (**Dexter, [0038], lines 12-13, RBG to CMYK for**

color photos).

   In regard to claims 76 and 85, which depend form claims 71 and 80,

respectively, AAPA, Nagarajan, and Dexter disclose the claimed invention except

wherein at least one of the first and second object properties serves for selection of a

raster conversion method, and the raster conversion method comprises a Floyd-

Steinberg raster method, a Burkes raster method, or a Stucki raster method.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have wherein at least one of the first and second object properties serves for selection of a raster conversion method, and the raster conversion method comprises a Floyd-Steinberg raster method, a Burkes raster method, or a Stucki raster method since it was known in the art that the Floyd-Steinberg raster method is commonly used in image manipulation software.

In regard to claims 77 and 86, which depend form claims 71 and 80, respectively, Dexter discloses wherein said selected part of the at least one region comprises an aerial region selected with aid of geometric figures comprising at least one of rectangles, circles, or polygons (**Dexter, Fig. 5, user selects region using rectangle**).

In regard to claims 78 and 87, which depend form claims 71 and 80, respectively, Dexter discloses wherein the print data contained in the print data stream has a resolution which is adapted to a resolution of the printer (**Dexter, [0038], lines 18-19**).

In regard to claims 79 and 88, which depend form claims 71 and 80, respectively, Dexter discloses wherein at least one of color or grey level values contained in the print data stream are adapted to device properties of the printer (**Dexter, [0037], lines 5-9, and [0038], lines 1-2, and lines 12-21**).

Response to Arguments

4.   Applicants' arguments with respect to claims 71-88 are considered moot in view

of new grounds of rejection or are not persuasive.

In regard to the rejection of claims 71-88, Applicants argue that Dexter never

discloses the first rasterizing being based on a first object property, therefore there can

be no selection of a second object property. Rather there is only a selection of one

object property in Figure 2 of Dexter. See Amendment, pg. 7.

The Examiner notes that the first object property is disclosed in AAPA. Since the

claims are rejected with at least a combination of AAPA and Dexter, the object property

in Dexter would be the second object property.

Applicants further argue that there is no disclosure anywhere in Dexter that his

rasterizing is dependent on both the first and the second object properties.

The Examine notes that in Dexter, at, for example, [0037], and [0038], lines 1-2,

if the user selects only a portion of the page, the second raster process would be

dependent on both of the first and the second object properties.

All other arguments are considered moot in view of new grounds of rejection.

Conclusion

5.   Applicants' amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ERIC A. RUST whose telephone number is (571)-270-

3380. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00

p.m., EST.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Benny Tieu can be reached on (571)-272-7490. The fax phone number for

the organization where this application or proceeding is assigned is 571-270-4380.

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ERIC A. RUST/

Examiner, Art Unit 2625

10/27/2010

/Benny Q Tieu/

Supervisory Patent Examiner, Art Unit 2625